

REMARKS/ARGUMENTS

Reconsideration is requested. Claims 1-6 are pending. Responsive to the Office Action of August 1, 2007, the Examiner's comments and the cited art have been noted and studied. For reasons to be set forth in detail below, it is respectfully submitted that the present application is in condition for allowance, and such action is requested.

Independent claim 1 has been amended to recite that the strip supplies "correspond" to the self monitoring glucose systems and that the upper strip supply tray is "grouped" with the system tray (see, for example, paragraphs 0031, 0047, and 0048 and FIG. 9 of the original disclosure).

Dependent claims 2, 3 and 6 have been amended for consistency with amended claim 1 and to correct informalities.

It is respectfully submitted that the amendments above are supported by the specification, claims, abstract of the disclosure, and drawings as originally filed, and that no new matter has been added.

Claim Objection

Claim 3 was object to due to the presence of informalities. Applicant submits that claim 3, as amended, is not subject to objection and is allowable.

Claim Rejections under §103

The subject matter of claims 1-6 were rejected under 35 USC §103(a) as obvious over U.S. Patent No. 5,069,349 to Wear et al. (hereinafter "Wear") in view of U.S. Patent No. 5,137,340 to Cugley et al. (hereinafter "Cugley").

Wear, as understood, describes a display rack for "general merchandise" and is configured for placement on conventional store shelving (see, for example, col. 1, lines 10-11 and 26-29 and col. 2, lines 58-60 of Wear).

Wear does not describe, teach or suggest an apparatus with a system tray for self monitoring blood glucose systems and a lower strip supply tray for "corresponding" strip supplies or that the system tray and lower strip supply tray are "grouped," as is recited in amended claim 1. Rather, Wear describes and teaches the display of general merchandise and

that the displayed merchandise is not “grouped” but rather placed in conformance with pre-existing conventional store shelving.

Cugley appears to describe a merchandising system for fasteners that is configured to maximize visibility (see, for example, col. 1; lines 46-50 of Cugley). Applicant, therefore, submits that Cugley does not cure the deficiencies of Wear described above.

For at least the foregoing reasons, Applicant submits that claim 1, as amended, is allowable over the cited combination of Wear and Cugley. Since, dependent claims 2-6 depend from and further limit independent claim 1, they are allowable for at least the same reasons.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance and applicant earnestly solicits early examination on the merits and issuance of a Notice of Allowance. Should the Examiner believe that any additional information or amendment is necessary to place the application in condition for allowed, he is urged to contact the undersigned Attorney via telephone at 408-956-4790, or facsimile number 408-956-4404.

The Commissioner is hereby authorized to charge any required fees due in connection with this submission, including petition and extension of time fees, and to credit any overpayment to Deposit Account No. 10-0750 (Docket No. LFS5006USNP/MM (Johnson & Johnson)).

Respectfully submitted,

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